

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	Stehouwer et al.	Examiner:	Kelly J. Mahafkey
Application No.:	10/516,655	Group Art Unit:	1794
Confirmation No.:	8765	Docket:	1564-2 PCT/US
Filed:	December 29, 2005	Dated:	February 12, 2008
For:	GELATIN FREE DAIRY DESSERT		

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Certificate of EFS-Web Transmission

I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via the Office's electronic filing system

Dated: February 12, 2008

Signature Barbara Thomas

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This in response to the Requirement for Restriction, mailed January 15, 2008, a reply to which is due one month, i.e., February 15, 2008.

REMARKS

The application is subject to a restriction requirement. The Examiner requires restriction among the species of the claimed invention as shown in claims 1-21.

The Examiner has restricted the invention under 35 U.S.C. §121 into the following groups:

- | | |
|------------|--|
| Group I: | Claims 1-8 and 14-17, drawn to a dairy dessert product. |
| Group II: | Claims 9-12 and 18-21, drawn to an emulsifier composition. |
| Group III: | Claim 13, drawn to a method of making an emulsifier-product. |

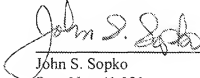
Applicants: Stenhouwer et al.
Application No: 10/516,655
Response to Restriction Requirement dated February 12, 2008
Restriction Requirement dated January 15, 2008
Page 2

Applicants elect to prosecute Group I, claims 1-8 and 14-17.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R. § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Should the Examiner have any questions, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number set forth below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John S. Sopko", is written over a horizontal line.

John S. Sopko
Reg. No. 41,321
Attorney for Applicants

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(973) 331-1700